

GOVERNMENT OF ANDHRA PRADEH
ABSTRACT

Public Services – Irrigation & CAD Department – A P E S - Commencement of Probation in respect of (25) Assistant Executive Engineers with effect from their joining into service in relaxation of Rule 16 (h) of A. P. State & Subordinate Service Rules, 1996 – Orders – Issued.

IRRIGATION & CAD (IW: SERVICES.I) DEPARTMENT

G. O. Rt. No. 965

Dated: 10-10-2013.

Read the following:

From the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad Letter No. RC/ENC/A1/1208 /1467/12, Dated 29-10-2012 and 23-03-2013.

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In the reference 1st read above, the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad has reported that, certain Assistant Executive Engineers appointed in the year, 2004 and 2005 have filed different O. A.'s before the Hon'ble A. P. Administrative Tribunal, Hyderabad to quash the Government Memos. and consequential proceedings applying Rule 16 (h) of the A. P. State and Subordinate Service Rules, 1996 extending the period of probation to the applicants and to get their seniority reckoned, based on the merit assigned by the A. P. Public Service Commission at the time of their recruitment as Assistant Executive Engineers since, there is a delay in conducting the Departmental Tests. The Departmental Test which were scheduled to be conducted in November, 2005; May, 2006; and November, 2006 were actually conducted on 22-01-2006; 07-09-2006; and 17-06-2007 respectively. They further contended that, because of the delay caused by the A. P. Public Service Commission in conducting the Departmental Tests, there is no fault on their part in passing the Departmental Tests within the period of probation and they are not liable for the delay caused by the A. P. Public Service Commission for conducting the Departmental Test, hence Rule 16 (h) of A. P. State & Subordinate Service Rules, 1996 cannot be applied to them and their original date of probation has to be taken into consideration for the purpose of counting seniority from the date of initial appointment as per the merit ranking assign by the A. P. Public Service Commission.

2) The Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad has further reported that, Hon'ble A P Administrative Tribunal, Hyderabad in its Order dated 31-07-2012 in O. A. Nos. 10186 of 2009 and batch has set aside the impugned proceedings wherein the Rule 16 (h) was applied and directed to treat the probation of the applicants commenced from the initial date of joining into service as Assistant Executive Engineers by treating that, they have passed the test in the last chance of May, 2007 or earlier dates though the test was conducted on 10-02-2008 on account of the delay caused by the A. P. Public Service Commission and the applicants are entitled to get their seniority including declaration of probation within the prescribed period from the date of joining and their seniority shall be counted as per the merit ranking given by the A. P. Public Service Commission.

3) The Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad has finally reported that if the above Hon'ble A. P. Administrative Tribunal, Hyderabad orders are to be implemented then the Government Memo's in which the date of declaration of probation was extended and revised date of

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commencement was fixed have to be cancelled and a fresh orders regarding their commencement of probation and declaration of probation w.e.f. the date of joining in the department has to be issued and they have to be placed in the seniority list of Assistant Executive Engineer as per their Andhra Pradesh Public Service Commission ranking duly furnishing the details of the Assistant Executive Engineers who are actually eligible for relaxation of Rule 16 (h) of A. P. State & Subordinate Service Rules, 1996.

4) After careful examination of the entire matter, it is observed that, since the delay in conducting the Departmental Tests was caused by the A. P. Public Service Commission, the Assistant Executive Engineers ought not be penalized for not passing Departmental Tests within the deemed period of probation though they were not at fault. Therefore, it has been decided to implement the above orders of the Hon'ble A. P. Administrative Tribunal, Hyderabad. Accordingly, in exercise of powers conferred under Rule 31 of A. P. State & Subordinate Service Rules, 1996, Government hereby order to restore the date of commencement of probation in respect of (25) Assistant Executive Engineers as shown in the Annexure annexed to this order with effect from the date of their joining into service as mentioned against their names in relaxation of Rule 16 (h) of A. P. State & Subordinate Service Rules, 1996, duly cancelling earlier proceedings in the matter.

5) The Engineer-in-Chief (AW), Irrigation & CAD Department, Erramanzil, Hyderabad shall take further necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Engineer-in-Chief (AW), Irrigation & CAD Department, Erramanzil, Hyderabad (we).

// FORWARDED :: :: BY ORDER //

SECTION OFFICER